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JOHN V MIORIARTY :
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MORIARTY & MCNETT :
111 MONUMENT CIRCLE SUITE 3700 :
INDIANAPOLIS IN 46204 : Letter

In re Application of KAY, ROBERT :
Application No. 09/914366 :
For: **NOVELTY ANIMATED
DEVICE WITH SYNCHRONISED
AUDIO OUTPUT, AND METHOD
FOR ACHIEVING
SYNCHRONISED AUDIO OUTPUT
THEREIN**

The Notice of Allowance and Fee(s) Due mailed DECEMBER 28/2005, is **vacated**.

On OCTOBER 28/2005, a Notice of Allowance and Issue Fee Due, and a Notice of Allowability were mailed. The Notices required payment of the issue fee.

DECEMBER 21 2005, applicant paid the issue fee.

A corrected Notice of Allowance was mailed to the applicant on DECEMBER 28/2005. The corrected Notice should not have set a new time period for reply, when the issue fee had already been paid, therefore the corrected notice is **vacated**. The above-identified application is being processed as a patent, since the issue fee has been paid.

Telephone inquiries regarding this communication should be directed to Publishing Division Customer Service at (703) 308-6789 or toll free at (888)786-0101.

Dan Derry
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